

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MIDOIL USA LLC,

Petitioner,

V.

ASTRA PROJECT FINANCE PTY LTD.,

Respondent.

Case No. 12-cv-8484 (PAC)

DECLARATION OF JOHN DELLAPORTAS

Pursuant to 28 U.S.C. § 1746, I, John Dellaportas, an attorney admitted to practice before this Court, declare the following statements to be true under the penalties of perjury:

1. I am a partner with the law firm Morgan, Lewis & Bockius, LLP, counsel for Petitioner MidOil USA LLC (“MidOil”) in the above-captioned action. I offer this Declaration in support of the Petitioner’s Memorandum in Opposition to Respondent’s Emergency Motion to Stay Arbitration and Compel Judicial Review.

2. Attached hereto as Exhibit A is a true and correct copy of the Corporate Financing Agreement (“CFA”) executed between MidOil and Respondent Astra Project Finance Pty Ltd.

3. Attached hereto as Exhibit B is a copy of the online blog entry entitled *Contracts, Fraud & the Arbitration Clause*, from the blog Forward Movement, dated December 7, 2009, available at <http://ourforwardmovement.blogspot.com/2009/12/contracts-fraud-arbitration-clause.html> (last visited July 15, 2013).

4. Attached hereto as Exhibit C are relevant excerpts taken from a copy of the 2002 Marquette Law Review article entitled *Has Expansion of the Federal Arbitration Act Gone Too Far?: Enforcing Arbitration Clauses in Void Ab Initio Contracts*, by Joshua R. Welsh, available

at <http://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=1288&context=mulr> (last visited July 15, 2013).

Dated: New York, New York
July 15, 2013

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